

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:) **Bankruptcy Case No. 23-22032-CMB**
Highland Property, LLC,)
 Debtor,) **Chapter 11**
)
United States Trustee,) **Hearing Date:** January 7, 2025
 Movant,)
)
v.) **Responses Due:** December 23, 2024
Highland Property, LLC,) **Related to Documents 135, 136**
)
)
) **Document No.**

**CONSENT TO MOTION OF THE UNITED STATES TRUSTEE TO DISMISS OR
CONVERT DEBTOR'S CHAPTER 11 CASE PURSUANT TO 11 U.S.C. § 1112(b).**

AND NOW comes the Debtor and Debtor-in-Possession, Highland Property, LLC, by and through its counsel of record, Calaiaro Valencik, and presents the following Response in Opposition to the *Motion of the United States Trustee to Dismiss or Convert Debtor's Chapter 11 Case Pursuant to 11 U.S.C. § 1112(b)*:

1. In light of the current posture of the case:
 - A. Debtor's lack of agreement with Federer to accept their intended settlement regarding the disposition of the blanket mortgage.
 - B. The current inability to propose a feasible plan and that the Debtor has not filed a Plan, of Reorganization,
 - C. There are unoccupied properties that cannot be insured at conventional insurance rates and the Debtor does not have the resources to obtain insurance on these properties.
 - D. The Debtor is not able to oppose the Dismissal of the case.
 - E. The assets are fully encumbered, and conversion will not benefit any party.

F. the Debtor requests that the Court dismiss this case without prejudice,

WHEREFORE, the Debtor respectfully requests that this Honorable Court dismiss this case without prejudice.

Respectfully Submitted,

DATED: December 23, 2024

CALAIARO VALENCIK

BY: /s/ Donald R. Calaiaro
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